

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kenneth A Kiel

Case Number: 4:10CR00595-1 JCH

Name of Sentencing Judicial Officer: The Honorable Jean C. Hamilton
Senior United States District Judge

Date of Original Sentence: August 5, 2011

Original Offense: Cts. 1-3: Interstate Transportation of Stolen Property
Cts. 4-10: Mail Fraud
Ct. 11: Conspiracy

Original Sentence: 31 months imprisonment and 36 months supervised release. On April 28, 2014, the case revoked, the offender was sentenced to 21 months of imprisonment and 12 months supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: November 6, 2015

Expiration Date: November 5, 2016

Assistant U.S. Attorney: Roger A. Keller Jr.

Defense Attorney: John M. Beal

PETITIONING THE COURT

☒ To issue a warrant

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number

General Condition: The defendant shall not commit another federal, state, or local crime.

Standard Condition #3: The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Standard Condition #9: The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.

Nature of Noncompliance

On March 25, 2016, Officer Bennett, with the Cape Girardeau Police Department responded to a fight located at Wal-Mart, where a male allegedly struck a female in the face and left in a silver vehicle.

According to the victim, she was walking into Wal-Mart with her daughter when they were almost struck by a vehicle speeding through the parking lot. After the victim yelled for the vehicle to slow down, the driver exited the vehicle and acted as if he was going to strike the victim. The driver, later identified as Kenneth Kiel, got back into the car. The victim then yelled that she was going to call 911, at which time Kiel exited the vehicle again and allegedly struck the female in the face with a closed fist. The passenger in the vehicle got into the driver side and Kiel was able to jump in the vehicle, which allowed them to speed away.

Witness statements and video surveillance corroborate the alleged victim's statement. Through social media, Officer Bennett, was able to identify the female passenger in the vehicle as Stacy Cole. Stacy Cole was indicted as a co-defendant for Kiel's instant offense, but her involvement was dismissed by the government. However, Cole was sentenced on September 11, 2013, for Aggravated Identity Theft and Theft of Government Funds Docket Number 4:12CR448-JAR. Cole received 34 months BOP and 3 years of supervised release.

From December 2007 to March 2011, Kiel was involved in a relationship with Stacy Cole. According to a statement given by Cole in her presentencing report, Cole stated she was abused physically by Kiel and indicated he had broken her nose and finger. On December 12, 2015, a voicemail was left directing Kiel not to have any contact with Cole due to his abusive history towards her. On January 11, 2016, the undersigned officer discussed with Kiel on the phone that he was not to have contact with Cole due to him being physically abusive towards her in their past relationship.

On March 31, 2016, charges were filed by the Cape Girardeau County Circuit Court under docket no. 16CG-CR00571 for two counts of Assault 3rd Degree.

Kiel has not been interviewed regarding this violation.

Kenneth A Kiel

4:10CR00595-1 JCH

U.S. Probation Officer Recommendation:

It appears there is clear and convincing evidence that Kiel assaulted a member of the public, associated with a felon, and did not follow the probation officer's instructions. Kiel is considered a risk to the community and revocation is being sought.

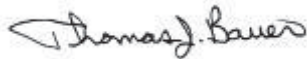
The Supervised Release should be
[X] revoked.

I declare under penalty of perjury that the foregoing
is true and correct.

Executed on April 11, 2016

Approved,

by



Thomas J. Bauer
Supervising U.S. Probation Officer
Date: April 11, 2016

Respectfully submitted,

by



Damir Begovic
U.S. Probation Officer
Date: April 11, 2016

THE COURT ORDERS:

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- Appearance Date:
- Appearance Time:
- Courtroom Number:
- ☐ Other

/s/ Jean C. Hamilton

Signature of Judicial Officer

4/11/16

Date